

REMARKS

Favorable consideration and allowance are respectfully requested for claims 1, 4, 5 and 23-26 in view of the following remarks.

The objection to claims 4, 5, 23, 26 and 27 under 37 C.F.R. § 1.75(c) is respectfully traversed. Claims 4 and 26 have been amended to put them in correct dependent form. Claims 5 and 27 have been cancelled. Claim 23 is amended to provide proper grammar in the phrase “a non-aqueous.” Reconsideration and withdrawal of the objections to these claims are respectfully requested.

The rejection of claims 1-3 under 35 U.S.C. § 102(e) over Cornelius et al. (6,360,564) is respectfully traversed.

Claim 1 is amended to include the elements of previously pending claims 3 and 5, which are each cancelled. Applicants respectfully point out that claim 5 was not rejected over Cornelius et al. As such, claim 1 is believed to be in allowable form and claim 2 depends from claim 1 and is allowable for at least the same reasons claim 1 is allowable. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

The rejection of claim 23 (and the apparent rejection of claims 24-25, based on the cover page of the Office Action) under 35 U.S.C. § 103(a) over Cornelius et al. (6,360,564) in view of Kuriyama (English Abstract of JP 07-126035), Yamada (English Abstract of JP 02-137737) and Niida et al. (Journal of Non-Crystalline Solids, 2002, 306:292-299) is respectfully traversed.

Claim 23 is amended to include the elements of previously pending claim 27. Claim 23 is also amended to delete the phrase “In a case of producing an organic-inorganic hybrid glassy material,” thereby putting the claim in better form for US practice. Claim 27 was not rejected over the proposed combination of references. As such, claim 23 is believed to be in allowable form, as are claims 24-25 which depend, directly or indirectly, from claim 23. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

In view of the foregoing, reconsideration and withdrawal of the rejection are therefore requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 038788.53357US).

Respectfully submitted,

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